

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA, : Case No. 3:06-cr-154
: :
Plaintiff, : Judge Timothy S. Black
: vs. : Magistrate Judge Michael R. Merz
: :
THOMAS L. MCCAULEY, :
: :
Defendant. : :

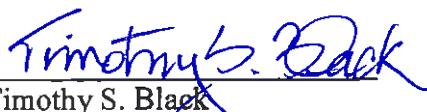
**DECISION AND ENTRY ADOPTING THE REPORT AND RECOMMENDATIONS OF
THE MAGISTRATE JUDGE (Doc. 126) AND DISMISSING DEFENDANT'S MOTION
(Doc. 125) WITHOUT PREJUDICE**

This case is before the Court on the Report and Recommendations of United States Magistrate Judge Michael R. Merz. (Doc. 126). The Magistrate Judge recommends that Defendant's Motion to Correct its Lack of Sentencing Authority and to Correct its Judgment and Commitment Order (Doc. 125) be dismissed without prejudice for lack of subject matter jurisdiction. Defendant did not file any objection to the Report and Recommendations and the time for doing so has expired.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered the issues presented *de novo*. Based on that review, the Court **ADOPTS** the Report and Recommendations (Doc. 126) in its entirety and **DISMISSES** Defendant's Motion (Doc. 125) **WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Date: 1/31/14



Timothy S. Black
United States District Judge